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WELL RANCH

CONSERVATION EASEMENT

*Environmental Assessment
Management Plan
Socio-Economic Assessment*

STATE DOCUMENTS COLLECTION

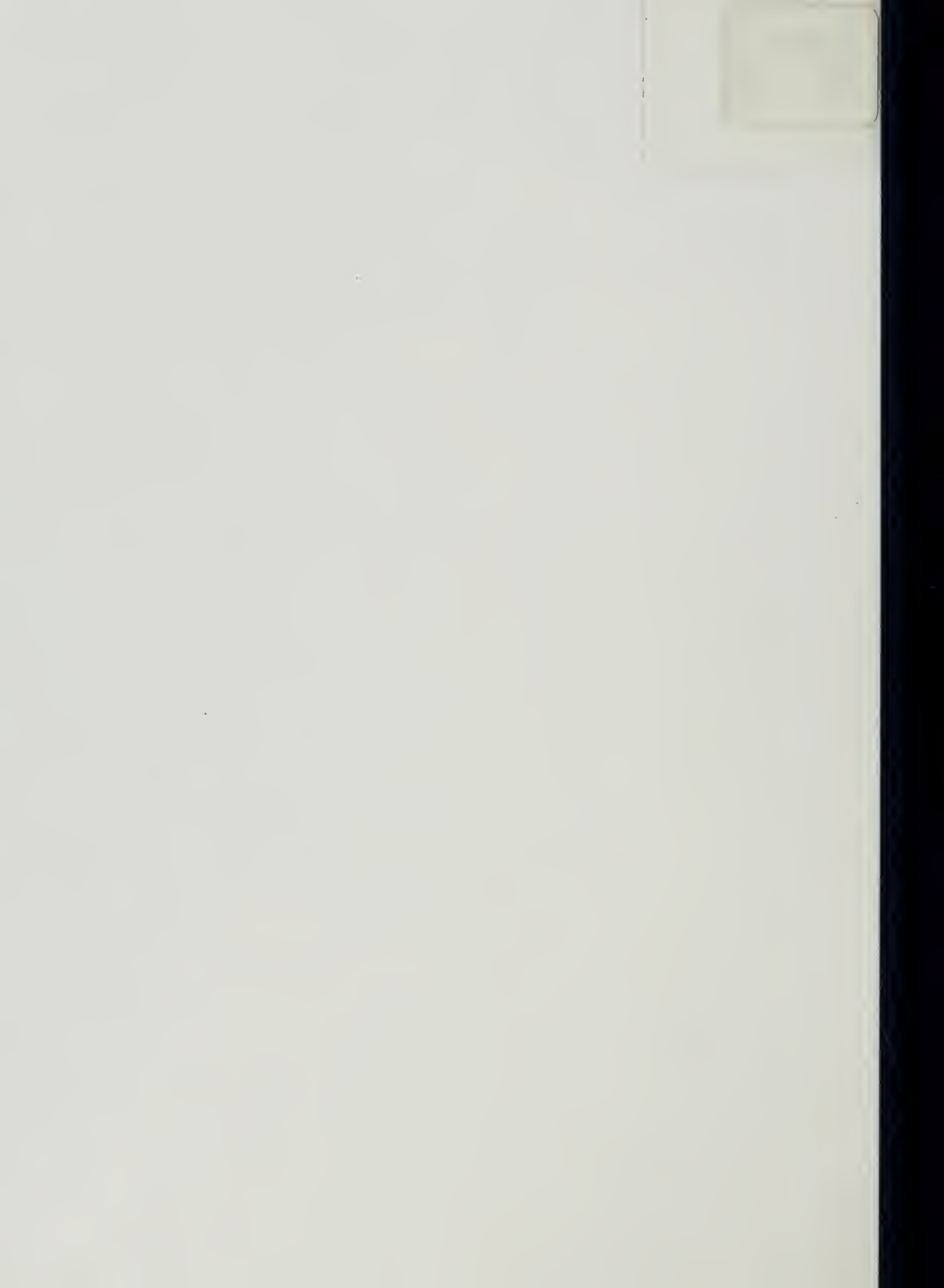
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*Montana Fish,
Wildlife & Parks*

October 2000





COWELL RANCH CONSERVATION EASEMENT

STATE DOCUMENTS COLLECTION

*Environmental Assessment
Management Plan
Socio-Economic Assessment*

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**Montana Fish,
Wildlife & Parks**

October 2000



Montana Fish, Wildlife & Parks

Rural Route 1-4210
Glasgow, MT 59230-9799
October 19, 2000

TO WHOM IT MAY CONCERN

Montana Fish, Wildlife and Parks (MFWP) is proposing to purchase a conservation easement from John Cowell. His property is 4489 acres and lies South of Malta approximately 50 miles. This land is bordered by private, Bureau of Land Management (BLM), and state school trust lands. The ranch borders the BLM Burnt Lodge Wilderness Study Area on the southeast corner and lies within ½ mile of the Charles M. Russell National Wildlife Refuge.

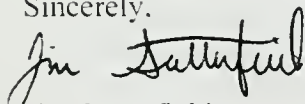
The easement is proposed to conserve and enhance sagebrush and riparian habitats bordering the Missouri River Breaks, to perpetuate the principle use of this area as a productive working cattle ranch, and to maintain public access to this land and public lands within and adjacent to this ranch. Game species commonly observed on the Cowell property include elk, mule deer, antelope, sage grouse, sharptail grouse, Hungarian partridge, and doves. MFWP would like to purchase the easement and implement the easement terms while maintaining the present use of the ranch. A rest rotation grazing system will be implemented to improve cover and forage on the ranch.

If this easement fails to be approved it is likely that this land would be subdivided and sold to out-of-area buyers for recreational purposes within the next few years. This will potentially result in a loss of wildlife habitat and hunter opportunities on this ranch and would reduce access into the CMR and BLM Burnt Creek Wilderness Study Area.

The easement terms are generalized in the enclosed Environmental Assessment (EA). A Socio-Economic Report, Management Plan and Grazing Plan are also included in this report for your review. The comment period will be open from October 20 to November 20. A public meeting will be held in Malta at the First State Bank (upstairs) on November 2 at 7:00 PM. Please send all written comments to the address below. Comments can also be emailed to: jelletson@state.mt.us.

Montana Fish, Wildlife & Parks
att: Cowell Ranch Conservation Easement
Rural Route 1-4210
Glasgow, MT 59230

Sincerely,


Jim Satterfield

Cowell Ranch Conservation Easement Proposal

FACT SHEET

Project goal: *IMPROVE AND CONSERVE THE SHRUB GRASSLAND AND RIPARIAN HABITATS OF THE COWELL RANCH FOR PERPETUAL USE BY WILDLIFE AND DOMESTIC LIVESTOCK, TO BENEFIT ALL USER GROUPS WITH AN EMPHASIS ON RANCHERS AND HUNTERS.*

- This easement would be taken and held by Montana Fish, Wildlife and Parks on 4489 acres of deeded land owned by Mr. Cowell at a cost of \$360,000 or \$80.00 per acre. The total acreage of the ranch also includes 5285 acres of BLM and 640 acres of State Land; however, easement restrictions would not apply to these public lands.
- No change would occur to taxes paid on this land.
- The primary function of this land would continue to be a working cattle ranch.
- A rest rotation grazing system will be used to improve range condition, benefiting both livestock and wildlife.
- There will be no decrease in the number of cattle run on this ranch and stocking rate may increase over time as the range condition improves over time.
- Approximately \$100,000 would be spent on new fences and water developments on the ranch. Local contractors would have an opportunity to bid on these projects.
- Mr. Cowell has never limited hunters or other recreationists from using this land and has no plans to in the future; however, future landowners may limit the number of hunters to 165, with each hunter hunting an average of 3 days.
- If this easement is approved, Mr. Cowell will work with the BLM to establish public access through his land to the CMR and BLM Burnt Creek Wilderness Study Area.
- The ranch will stay in one unit. When this land is eventually sold local ranchers will be able to buy this land since it will be sold for its agricultural value not recreational value. In recent years the recreation value of land has been driving up land prices beyond what local ranchers can afford.
- Agrichemicals will be allowed for weed control.
- Prairie dogs can be controlled as long as the acreage of the 2 prairie dog towns does not drop below the 1998 level of 156 acres. Shooting will be allowed unless the town size drops to 25% below the 1998 level.
- Fee hunting, outfitting, and game farms will not be permitted as these practices conflict with free public hunting.
- Two gravel pit sites will be available for use.
- Three 10-acre building sites will be available for residential homes.
- The landowner will be able to construct, remove, repair, or replace fences, roads and other nonresidential developments for ranching purposes.

PROJECT AREA MAP


PROPOSED COWELL CONSERVATION EASEMENT OVERVIEW

 Proposed Cowell
Conservation Easement

 Existing FWP Conservation
Easement

Land Ownership

 Private

 US - BLM

 US - Wilderness Study Area

 US Fish & Wildlife Service

 State of Montana (DNRC)

 Water

Proposed Cowell
Conservation E

Charles W Russell National Wildlife R

Fort Peck Reservoir



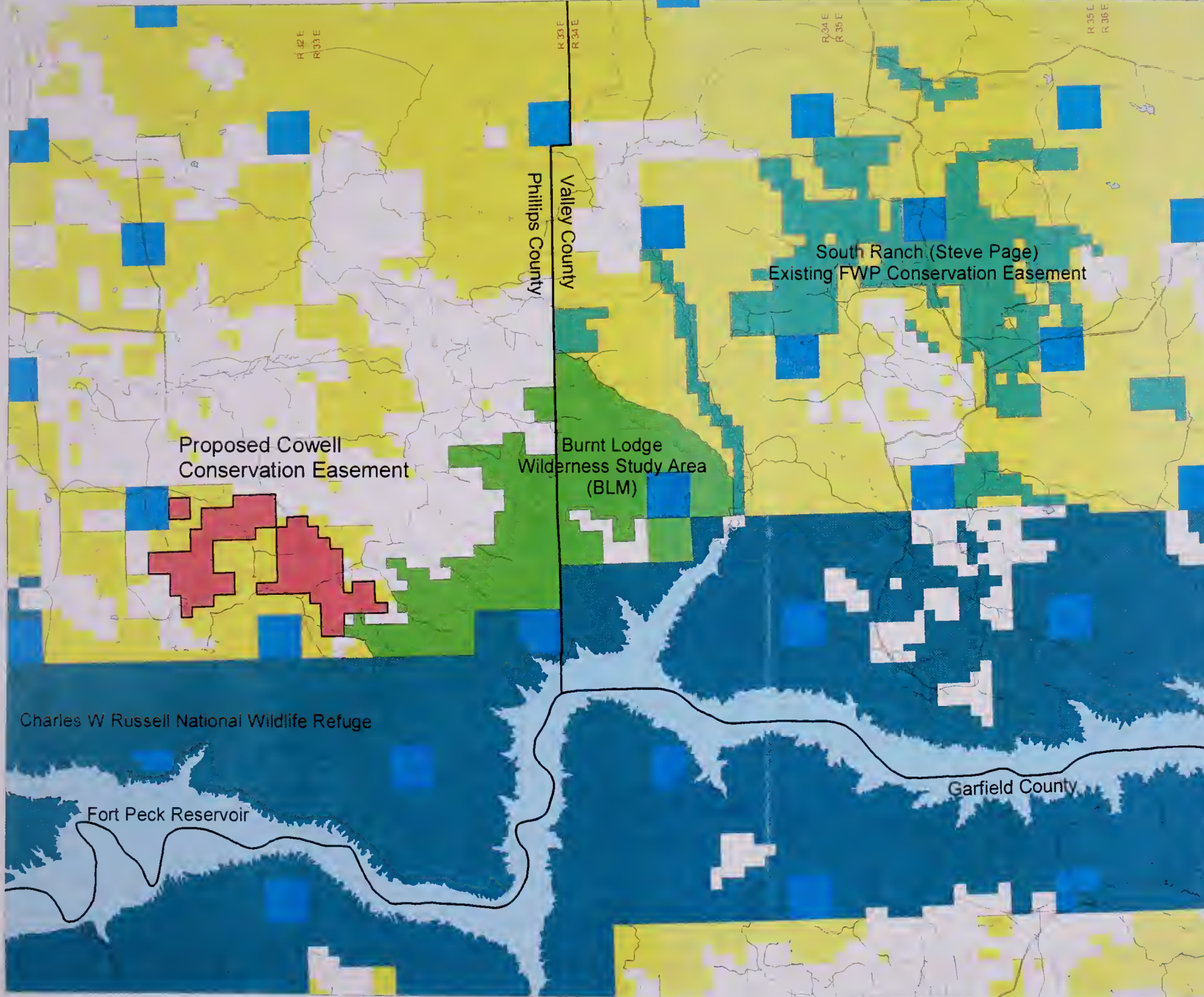
Map of
Montana
Land
Montana
Cowell



*Montana Fish,
Wildlife & Parks*

Proposed areas screen-digitized and boundaries are approximate South Ranch Conservation Easement digitized at 1:24,000 from USGS 7.5 minute quadrangle topographic maps and using the COGO module of ARC/INFO by Montana Fish, Wildlife and Parks Information Services Unit, Kalispell, MT. Boundaries accurate as of 10/31/97. Hydrography, roads, public land ownership and public land survey system from the Natural Resource Information System, Montana State Library, Helena, MT, all digitized at 1:100,000 State Plane 1983 Projection.

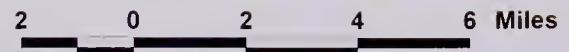
PROPOSED COWELL CONSERVATION EASEMENT OVERVIEW



- Proposed Cowell Conservation Easement
 - Existing FWP Conservation Easement
- Land Ownership**
- Private
 - US - BLM
 - US - Wilderness Study Area
 - US Fish & Wildlife Service
 - State of Montana (DNRC)
 - Water

Proposed areas screen-digitized and boundaries are approximate. South Ranch Conservation Easement digitized at 1:24,000 from USGS 7.5 minute quadrangle topographic maps and using the COGO module of ARC/INFO by Montana Fish, Wildlife and Parks Information Services Unit, Kalispell, MT. Boundaries accurate as of 10/31/97. Hydrography, roads, public land ownership and public land survey system from the Natural Resource Information System, Montana State Library, Helena, MT, all digitized at 1:100,000 State Plane 1983 Projection.

Map produced by
Martie Crone
Land Section
Montana Fish, Wildlife & Parks
cowell apr 10/12/00



DRAFT ENVIORNMENTAL ASSESSMENT

DRAFT ENVIORNMENTAL ASSESSMENT

**Montana Fish, Wildlife and Parks
Wildlife Division**

DRAFT ENVIRONMENTAL ASSESSMENT

COWELL RANCH CONSERVATION EASEMENT PROPOSAL

I. INTRODUCTION

The State of Montana recognizes that certain native plant communities constituting wildlife habitat are worthy of perpetual conservation. These communities include sagebrush-grassland and riparian corridors. Properties owned by John Cowell include both these habitats and warrant conservation considerations. A conservation easement was offered to Montana Fish, Wildlife and Parks (MFWP) by John Cowell and an agreement has been reached on the terms of this easement. This offer reflects the desire of all parties to maintain and protect the agricultural lifestyle and production which goes with this land while maintaining and enhancing wildlife habitats. It is proposed that a conservation easement, to be held by MFWP, be purchased from John Cowell. This easement would keep the property in private ownership and operation, preserve important wildlife habitats and guarantee public hunting access.

II. AUTHORITY AND DIRECTION

MFWP has the authority under law (87-1-201) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. In 1987, the Montana Legislature passed House Bill (HB) 526, which earmarked hunting license revenues to secure wildlife habitat through lease, conservation easement, or fee title, acquisition (87-1-241 and 242). This is now referred to as the Habitat Montana Program. As with other MFWP property interest proposals, the Fish, Wildlife and Parks Commission and the State Land Board (for easements greater than 100 acres or \$100,000) must approve any easement proposal by the agency. This Environmental Assessment (EA) is part of that decision making process.

III. LOCATION OF PROJECT

The Cowell property is located approximately 50 miles southeast of Malta along the north side of the Missouri River Breaks. The property consists of 4489 acres and is bordered by private, state school trust, and BLM land. All of the land involved is within deer/elk hunting district (HD) 622. A map of the property is included in this document.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

The primary purpose of this action is to preserve the integrity of the native habitats and its traditional agricultural use and ownership. The primary habitats represented on the Cowell Ranch include sagebrush grassland and riparian corridors. By maintaining and improving the existing habitat, wildlife use, including mule deer, elk, antelope, sage grouse, sharptail grouse and Hungarian partridge, will be perpetuated.

Since this ranch lies at the transition zone between the rolling prairie and the Missouri River breaks a wide variety of wildlife species inhabit this land. Of particular importance is the use of this area by sage grouse. Sage grouse are commonly observed on the Cowell Ranch and four sage grouse dancing grounds have been located within four miles of this project. In the spring of 1999, one hundred seventy three sage grouse were counted on these four dancing grounds. Although no dancing grounds have been recorded on the Cowell ranch, small groups of adult males have been observed here in spring and fall indicating that there may be an unrecorded dancing ground on this ranch.

Elk commonly occur on the Cowell Ranch. A large herd of elk traditionally winters on adjacent private and BLM land in the Larb Hills and frequently moves onto the Cowell Ranch. Late winter elk surveys are conducted in this HD on an every other year basis using a Department helicopter. In February 1997, 179 elk were observed on the upper part of Armstrong Coulee straddling the eastern boundary of the Cowell Ranch. Another 25 bulls were located on BLM and state school trust land within the Cowell Ranch boundary. In February 1999, a herd of sixty-six elk and a group of seven bulls were located in the same general areas as in the 1997 survey.

Two prairie dog towns totaling 156 acres occur on the Cowell Ranch and burrowing owls are commonly seen on one of these towns. It is likely that mountain plovers also use these towns.

A secondary result of this project is guaranteed public hunting access to this land and to adjacent public lands within and bordering this ranch. The Cowell Ranch has been in Block Management since 1996 using a hunter sign-in box management system. During the past 4 years an average of 490 hunter days have been recorded annually on this Block Management Area. In 1999 eighty six percent of the hunters who submitted comments on this BMA reported a positive hunting experience.

The need for this project is not established merely by habitats or wildlife. Rather the need is established by threats to the traditional use of this land by ranchers, recreationists, and wildlife. There are currently several ranches bordering the Missouri River Breaks for sale at prices which prohibit the purchase of this land by local agricultural producers. These ranches are being marketed based on their recreational values and close proximity to public lands surrounding the Missouri River breaks. A conservation easement on the Cowell Ranch would allow this land to remain locally owned and would keep livestock grazing as the primary use of this area. Resident and migrating wildlife species would

benefit from the improved grazing management of this ranch, while hunters and other recreationists would continue to have access to this land and adjacent public land.

V. DESCRIPTION OF PROPOSED ACTION

The proposed action is for MFWP to purchase, hold and monitor a conservation easement on the Cowell Ranch. This easement would include 4489 acres of the ranch which is all the deeded property owned by John Cowell in this area. The total purchase price for the proposed easement is \$360,000.00, plus the cost of materials required to implement the grazing system (approximately \$100,000.00). Habitat Montana is the primary funding source for this project, although the BLM will pay for part of the range improvements on their land.

Specific terms of the easement in their entirety are contained in a separate legal document, which is the "Deed of Conservation Easement". This document lists MFWP and landowner rights under the terms of the easement as well as restrictions on landowner activities. The rights of both parties and restrictions on landowner activities were negotiated with and agreed to by MFWP and the landowner.

To summarize the terms of the easement, MFWP's rights include the right to:

- (1) identify, preserve and enhance specific habitats, particularly sagebrush grasslands;
- (2) monitor and enforce restrictions;
- (3) prevent activities inconsistent with the easement;
- (4) ensure public access for the purpose of recreational hunting. Hunting access for all sex and age classes of game animals and game birds during all established seasons will be maintained for a minimum of 165 hunters occurring 500 hunter days each fall.

The Landowners will retain all of the rights in the property that are not specifically restricted and that are not inconsistent with the conservation purposes of the proposed easement, including the right to:

- (1) pasture and graze this land in accordance with the rest rotation grazing system described in the Management Plan;
- (2) develop and maintain water resources, including the right to build a private fish pond;
- (3) continue to regulate public use of the land at all times;
- (4) build up to three residences, barns, corrals, and other improvements at three 10-acre sites within this easement;
- (5) construct, remove, maintain, renovate, repair, or replace fences, roads and other non-residential improvements necessary for accepted land management practices.

The proposed easement will restrict uses that are inconsistent with the conservation purposes of the easement including the following uses of the property:

- (1) control or manipulation of sagebrush by any means.;
- (2) draining or reclamation of wetland or riparian areas;
- (3) any subdivision;
- (4) cultivation or farming;

- (5) outfitting or fee hunting;
- (6) use of agrichemicals is restricted to the minimum amount necessary to control noxious weeds;
- (7) control of prairie dogs unless the two prairie dog towns exceed their 1998 size of 96 and 60 acres. Once prairie dog towns exceed this size, the landowner may use control methods. Shooting will not be considered a means of control and is allowed unless prairie dog towns drop 25% below the 1998 levels.
- (8) installation of utility structures without MFWP approval;
- (9) mineral exploration, development, and extraction by surface mining or below the surface methods that would significantly impair conservation values, except gravel may be excavated at two 5-acres sites;
- (10) construction of permanent structures except as described above;
- (11) commercial feed lots;
- (12) establishment or operation of a game farm, game bird farm, shooting preserve, fur farm, menagerie or zoo;
- (13) commercial or industrial use except traditional agricultural use;
- (14) refuse dumping;
- (15) raising, pasturing or grazing of any species of domestic sheep or sheep not native to Montana.

VI. DESCRIPTION OF REASONABLE ALTERNATIVES TO THE PROPOSED ACTION

The Cowell Ranch wants to maintain this land as a traditional Montana working ranch. No interest was expressed in a sale of fee title or a long-term lease. Since conservation easements are also MFWP's preferred option, the only other alternative in this EA is the "No Action Alternative".

I. No Action Alternative

It is highly likely that this land would be sold for the primary purpose of recreational use due to its hunting opportunities and close proximity to the Missouri River Breaks and Fort Peck reservoir. There would be no guarantee of the preservation of current habitat values found on the property. Without the proposed easement an important public access point to public land could be lost along with a loss in public hunting opportunities. In addition, the ranch would remain vulnerable to rural subdivision; livestock grazing practices detrimental to the range resource and the problems associated with these land uses practices. Sagebrush could be reduced by prescribed burning or spraying. Some of the rangeland could also be broken and farmed.

VII. EVALUATION OF IMPACTS ON THE PHYSICAL ENVIRONMENT

1. Land Resources

Impact of Proposed Action: No negative impact would occur as a result of this proposal. The terms of the proposed easement are structured to prevent adverse impacts on soils and vegetation. A grazing plan has been developed and will be implemented that will enhance soil maintenance (Management Plan, Attachment A). Subdivision and development of the land is restricted, as is cultivation. The proposed easement will insure that the land resources are maintained.

No Action Alternative: This alternative would allow for potential disturbance of soils from more intense agricultural practices, mining and residential development.

2. Air Resources

Impact of Proposed Action: There would be no impact.

No Action Alternative: There would be no immediate impact.

3. Water Resources

Impact of Proposed Action: There would be no impact in perpetuity over what is currently associated with a working livestock operation. Current agricultural uses on the property have proven to be compatible with maintenance of water quality.

No Action Alternative: There would be no immediate impact. However, there would be no assurances that over time the use of this property wouldn't change from livestock grazing to some other use, with no conservation protection.

4. Vegetation Resources

Impact of Proposed Action: This action would result in a positive impact. The terms of the easement protect the quantity, quality and character of the native plant communities found on the property. The prescribed grazing program will enhance and maintain the vigor and productivity of vegetation on both the Cowell Ranch property and the associated federal and state grazing allotments. The proposed action also ensures the land's primary use in the future will be livestock grazing, which depends on maintaining a productive vegetative resource. Noxious weed management will be an important component of a successful ranch operation.

No Action Alternative: If the land use were to change from ranching to rural subdivision or some other use there would be no conservation measures in place to maintain the productivity of the land. Future impacts

to native vegetation and overall productivity of the land could be significant. In addition, there would be no long-term protection of existing native plant communities.

5. Fish/Wildlife Resources

Impact of Proposed Action: This action will benefit a variety of wildlife. The terms of the easement conserve the land as agricultural and open space to provide year-round habitat for many of Montana's native wildlife species. Large mammals such as elk, mule deer, and antelope require large blocks of unsubdivided open space. Large mammals and agriculture can coexist well together as demonstrated in Montana today. Conserving native plant communities is important for most of Montana's indigenous wildlife species. Implementation of a rest-rotation grazing system incorporating private and public lands, will ensure adequate quantity and quality of forage and cover for a variety of wildlife species. No adverse effects are expected on the diversity or abundance of game species, nongame species or unique, rare, threatened or endangered species. There would be no barriers erected which would limit wildlife migration or daily movements. There would be no introduction of non-native species into the area.

No Action Alternative: without long term conservation protection measures, the area is likely to become more developed for recreational purposes. As this occurs, open space would diminish over time resulting in significant long term negative effects to most species of wildlife. There would be no provisions preventing activities such as game farming on the property, as well as the construction of fences or other barriers that could inhibit wildlife movement. The grazing of domestic sheep could spread disease to wild bighorn sheep, which inhabit the Missouri River Breaks next to this ranch. Sage grouse and other wildlife species would be negatively impacted by any sagebrush control measures.

6. Adjacent Land

Impact of Proposed Action: No negative impact is expected. New fences would be built along the perimeter of the Cowell Ranch, decreasing future fence maintenance.

No Action Alternative: A change in management or ownership could result in a loss of public access to public lands in this area.

VII. EVALUATION OF IMPACTS ON THE HUMAN ENVIRONMENT

1. Noise/Electrical Effects

Impact of Proposed Action: No impact would occur over existing conditions.

No Action Alternative: There would be no immediate impact.

2. Land Use

Impact of Proposed Action: There would be no impact with the productivity or profitability of the ranch nor conflicts with existing land uses in the area. The traditional uses of the land would be maintained under the Proposed Action.

No Action Alternative: Changes in future landownership and land use could affect habitat quality and current wildlife numbers. Public recreational opportunity would very likely be diminished.

3. Risk/Health Hazards

Impact of Proposed Action: No impact would occur.

No Action Alternative: No impact would occur.

4. Community Impacts

Impact of Proposed Action: There would be no anticipated negative impacts to the community. The scenic values and open character of this property would be maintained and enjoyed by the community in perpetuity. This issue is also addressed in the attached Socio-Economic Assessment.

No Action Alternative: Hunting access and public access on this ranch would likely be restricted in the future, negatively affecting traditional recreational opportunities in the area.

5. Public Services/Taxes/Utilities

Impact of Proposed Action: There would be no effect on local or state tax bases or revenues, no alterations of existing utility systems nor tax bases of revenues, nor increased uses of energy sources. As an agricultural property, the land would continue to be taxed as it has before. This issue is also addressed in the attached Socio-Economic Assessment.

No Action Alternative: No immediate impact would occur. If rural subdivision did occur in this area in the future, greater demands would be placed on county resources.

6. Aesthetics/Recreation

Impact of Proposed Action: There would be no impact. The easement would maintain in perpetuity the quality and quantity of recreational opportunities and scenic vistas and would not affect the character of the neighborhood. This issue is also addressed in the attached Socio-Economic Assessment.

No Action Alternative: There would be no guarantee of continued public access to the land or across the land for recreational purposes. Should rural subdivision and/or other development occur it would reduce the aesthetic and recreational quality of the area. Future landowners would likely not be as generous with recreational access as John Cowell.

7. Cultural/Historic Resources

Impact of Proposed Action: There would be no impact.

No Action Alternative: Any future developments on this land would likely have an adverse impact on the cultural and historic values of this ranch.

8. Socio-Economic Assessment

Please refer to the attached Socio-Economic Assessment for additional analysis of impacts on the human environment.

IX. SUMMARY EVALUATION OF SIGNIFICANCE

The proposed action should have no negative cumulative effect. However, when considered on a larger scale, this action poses a substantial positive cumulative effect on wildlife, range management, and open space. Whereas this easement is proposed to protect privately owned wildlife habitat, this action will create a buffer for adjacent blocks of public lands, benefiting a significantly larger amount of habitat in perpetuity. In so doing, the ranch will remain in private ownership, continue to contribute to agricultural production and thus contribute to the local economy.

The "No Action Alternative" would not preserve the diversity of wildlife habitats in perpetuity. Without the income from the proposed conservation easement, Mr. Cowell might consider other income options including either selling the ranch or subdividing parts of it, both of which have been suggested to him by realtors. Possible future subdivisions or other actions prohibited under the terms of the Proposed Action, such as game farming, could directly replace wildlife habitat and important public access to public lands in the Missouri River Breaks would likely be lost.

X. EVALUATION OF NEED FOR AN EIS

Based on the above assessment, which has not identified any significant negative impacts from the proposed action, an EIS is not required and an E.A. is the appropriate level of review. The overall impact from the successful completion of the proposed action would provide substantial long-term benefits to both the physical and human environment.

XI. PUBLIC INVOLVEMENT

The public comment period will begin on October 20 and run through November 20. Written comments may be submitted to:

Montana Fish, Wildlife and Parks
Attn: Cowell Conservation Easement
Rural Route 1-4210
Glasgow, MT 59230

Or comments can be emailed to jelletson@state.mt.us

In addition, there will be a public hearing in Malta on November 2 upstairs at the First State Bank at 7:00 pm.

XII. NAME, TITLE AND PHONE NUMBER OF PERSON RESPONSIBLE FOR PREPARING THIS EA

Mark Sullivan, Wildlife Biologist, Montana Fish, Wildlife, and Parks, 654-1183

DRAFT MANAGEMENT PLAN

**Montana Fish, Wildlife and Parks
Wildlife Division**

Draft Management Plan

COWELL RANCH CONSERVATION EASEMENT

I. INTRODUCTION

The people of the State of Montana recognize that certain native plant communities and wildlife habitat are worthy of perpetual conservation and has directed the Department (FWP) to acquire such areas by voluntary cooperative means.

The primary purpose of the Cowell easement is to protect sagebrush grassland and riparian habitats adjacent to the Missouri River Breaks. A secondary purpose is to develop a partnership between the landowners and hunters to improve and maintain the productivity and quality of the land, water and vegetation to meet the needs of wild and domestic animals, the landowners and hunters. This land stewardship project will be designed to improve the lands productive capabilities for agriculture and wildlife by implementing a rest-rotation grazing system. Two of the six statewide habitats, riparian and shrub grassland will be benefited.

Easement terms will provide the additional benefits of: keeping in perpetuity lands for agricultural purposes; compensating the landowners for their role in wildlife management; guaranteeing in perpetuity annual hunting opportunities; and providing hunting access to public lands along the Missouri River Breaks.

II. GOAL

IMPROVE AND CONSERVE THE SHRUB GRASSLAND AND RIPARIAN HABITATS OF THE COWELL RANCH FOR PERPETUAL USE BY WILDLIFE AND DOMESTIC LIVESTOCK, TO BENEFIT ALL USER GROUPS WITH AN EMPHASIS ON RANCHERS AND HUNTERS.

Objective I Grazing Management

Manage the grassland, shrubland, and riparian vegetation to maintain and improve these plant communities for the benefit of wildlife and livestock while maintaining or increasing the current level of livestock grazing. This objective will be met through the establishment of rest-rotation grazing. This grazing system is based upon "Principles of Rest Rotation Grazing and Multiple Use Land Management." 1970, by A.L. Hormay, Range Management Specialist USDI-BLM and "Managing the Range with Livestock." 2000 by J. Egan. For pasture numbers and delineation and season of use, see the attached grazing plan and schematics.

Establishment of this system will increase the vigor and productivity of the shrub grassland and riparian habitats over time. Sustainable levels of livestock grazing may increase as a result.

The grazing plan adherence and effectiveness will be monitored. The landowner, the Department, and the BLM will assess cattle performance and distribution. After two complete cycles through the rest rotation grazing schedule (i.e. 6 years) the effectiveness of the system will be evaluated and changes to the system will be made if necessary. Photo points and vegetation transects may be established in appropriate areas to monitor long and short-term vegetation condition and changes. In addition to grazing plan adherence the other terms of the easement will be monitored at least annually to ensure compliance is being met with restrictions in use on developments.

Objective II Hunting Management

Allow a minimum throughout the hunting season of 165 hunters for 500 hunter days of use. Free regulated public access will be provided through the entire hunting season for big game and game birds to include: elk, mule deer, antelope, sharptail grouse, sage grouse, gray partridge, mourning doves, geese, and ducks. Hunters will be allowed to hunt animals of all age and sex classes as specified by annual hunting regulations. Motorized vehicles may be restricted to the access trails shown in the attached figure on deeded land. Vehicle restrictions on public land would not be affected by this easement.

Mr. Cowell has never restricted hunters during the time he has managed this ranch. In the last four years this land has been enrolled in the Block Management Program using a hunter sign-in management system with weekly patrolling by Department personnel. The Department will continue to offer the landowner the option of having this land in Block Management.

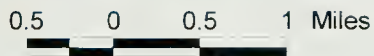
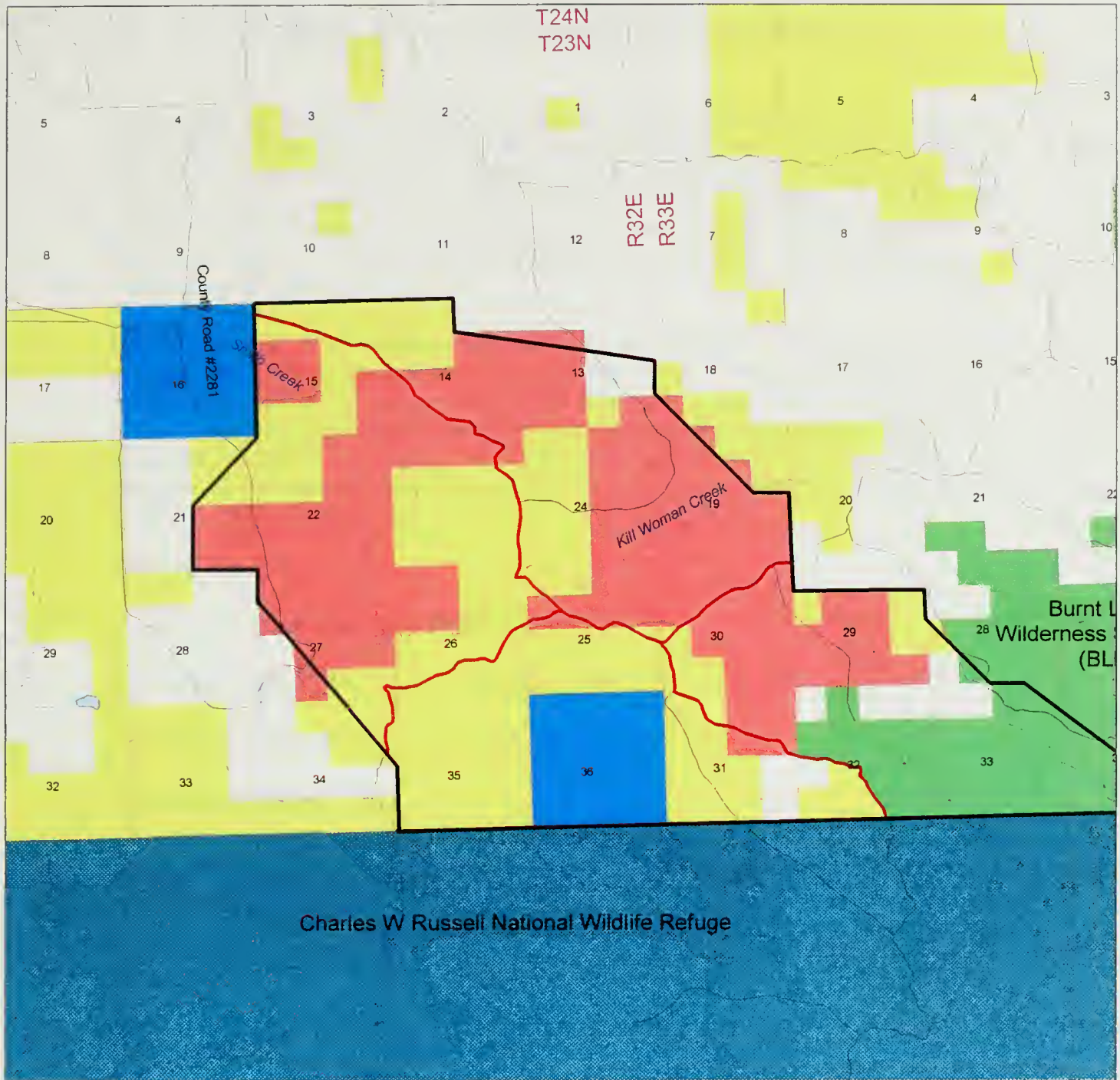
Should the landowner decide not to participate in Block Management, the landowner must develop an equally effective system for handling hunter requests within the easement terms. With or without Block Management, there will be a mechanism (i.e. permission slip, sign-in rosters or equally effective method) to document annual hunter use.

Objective III Nonconsumptive Use Management

A significant outcome expected from the proposed project is the reduction of future conflict between diverse user groups. The number of people expected to use this area for such nonconsumptive uses as wildlife viewing, hiking and horseback riding is expected to increase. Although the terms of this easement do not cover these uses, Mr. Cowell has always allowed these activities and has no plans to restrict them in the future. Mr. Cowell has also expressed an interest in working with the BLM to provide year round access to public lands behind his deeded land.

The entire ranch would also be available as an educational tool with landowner approval. Field trips could be given to local ranchers to demonstrate the use of a rest rotation grazing system.

COWELL CONSERVATION EASEMENT



Map produced by
 Marie Crone
 Land Section, Montana Fish, Wildlife & Parks
 Helena, Montana
 cowell apr 10/12/00



Proposed boundaries screen-digitized and boundaries are approximate. Hydrography, roads, county lines, public land survey system and public land ownership from the Natural Resource Information System, Montana State Library Helena, MT, digitized at 1:100,000 State Plane 1983 Projection



COWELL ACCESS ROADS

- Proposed Cowell Conservation Easement
- Hunter Access Roads
- Cowell Ranch Boundary

Land Ownership

- Private
- US - BLM
- US - Wilderness Study Area
- US Fish & Wildlife Service
- State of Montana (DNRC)

**PROPOSED GRAZING PLAN
COWELL RANCH CONSERVATION EASEMENT**

Following is the proposed grazing plan for the Cowell Ranch easement. Mr. Cowell, the Department and the BLM mutually developed the plan with input from the Department of Natural Resources and Conservation (DNRC). This grazing system will impact 10,414 acres of land, including 4489 deeded acres, 5285 acres of land managed by the BLM, and 640 acres of land managed by the DNRC. Land ownership of the various pastures is depicted in Figure 1. It should be noted that none of the easement restrictions apply to land managed by the BLM or DNRC.

Grazing System: A three-pasture rest rotation grazing system will be implemented. The grazing season will start around mid April each year and will extend to mid October. The sequence of treatment for one pasture over the three years is as follows: YEAR 1: early grazing (rapid green growth until seed ripe), YEAR 2: late grazing (after seed ripe to shipping), and YEAR 3: yearlong rest. Each pasture will receive only one treatment annually. The 3 treatments rotate through the 3 pastures on a set schedule. One rotation cycle is completed after 3 years.

Grazing Schedule:

A Treatment - graze from April 15 through July 31

B Treatment - graze from August 1 through October 15

C Treatment - yearlong rest

Pasture Treatment Schedule

Year	Pasture 1	Pasture 2	Pasture 3
2001	A	B	C
2002	B	C	A
2003	C	A	B
2004	A	B	C
2005	B	C	A
2006	C	A	B

Grazing Plan Justification: Under rest rotational grazing, livestock are moved between pastures based on the herbaceous plant's growth phenology. The rest from grazing during the growing season 2 out of 3 years maximizes root production and carbohydrate storage. This not only increases plant production but makes individual plants more tolerant to

disturbance and drought. Over time, improved seed production and rest periods provide additional opportunity for new seedlings to sprout, increasing grass stand density.

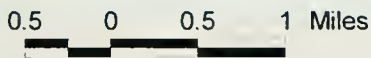
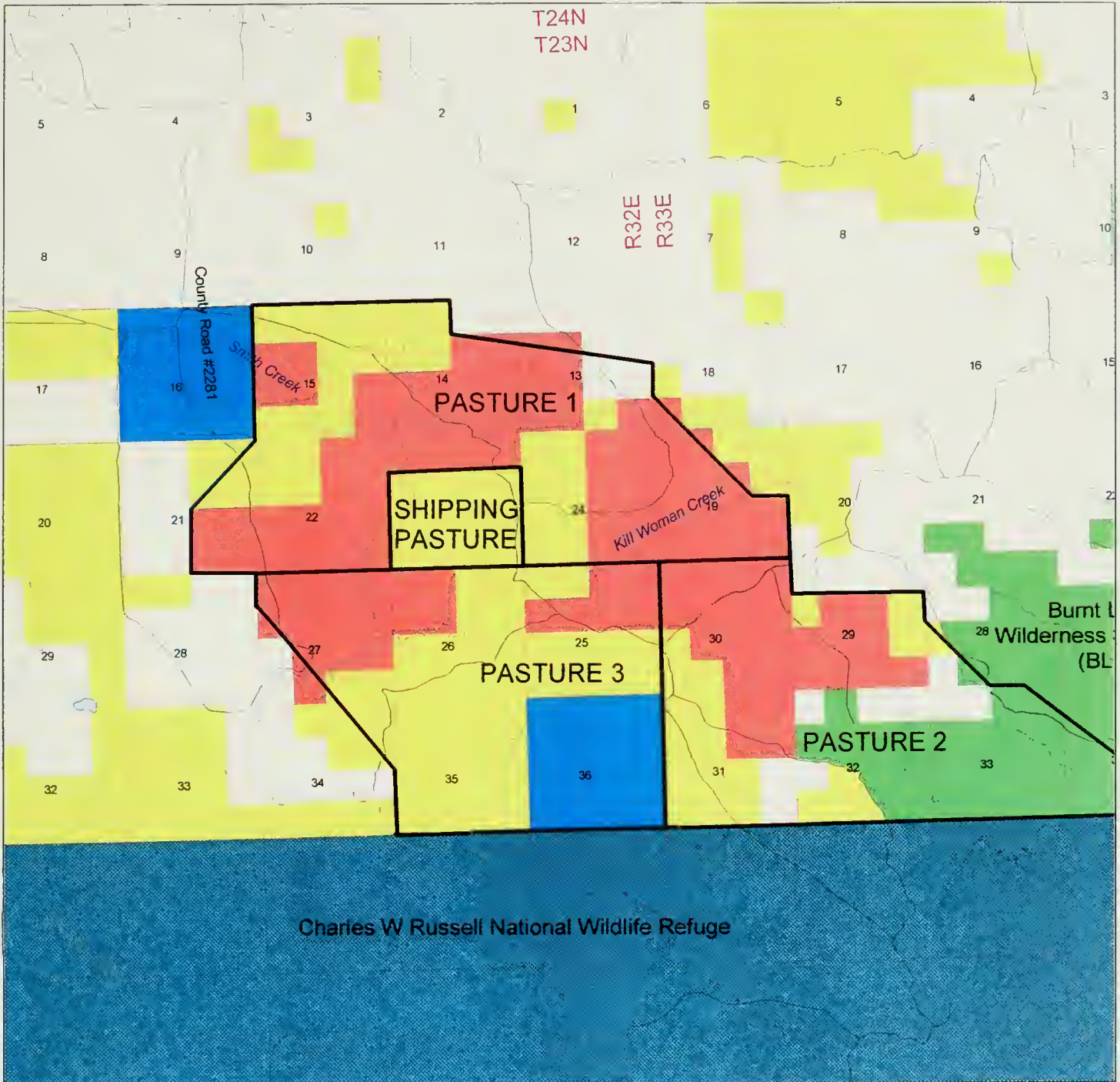
The intensity of use is not as critical as the period of rest a pasture receives. The pasture grazed after seed ripe (Treatment B) was rested during the present year's growth, which allows for photosynthetic replacement of reserves lost due to grazing during the previous year's growing season. Livestock disturbance at this time will set seeds while doing little if any physiological damage to the plant. The following year of complete rest (Treatment C) is dedicated to seedling establishment and additional undisturbed photosynthetic activity necessary for the next year's growth. Starting the cycle over, this forage produced during the rested year will again be available for use during the following year's growing season (Treatment A).

Stocking Rate: Stocking rate will be determined by the landowner on his deeded ownership by his ability to comply with the grazing system, while taking into account the amount of AUMs permitted on land administered by the BLM and DNRC. Mr. Cowell also has 420 AUMs within the CMR National Wildlife Refuge not included in this grazing system. This land will be used to provide a buffer during drought years when forage may become limiting in one or more of the rest rotation system pastures.

Range Improvements: The boundary fence surrounding the Cowell Ranch is in poor condition and will be replaced. New interior fences will be built to separate the three pastures of the rest rotation grazing system and a shipping pasture. Currently the main source of livestock water is stockdams, which are not dependable in dry years. A well will be developed to supply water to Pasture 1 and the shipping pasture (see figure). A pipeline from this well and water tank will supply water to Pasture 3. Pasture 2 already has a developed spring so further water development is not necessary.

Improvements on the Cowell Ranch deeded land will be paid for through Habitat Montana as part of the easement. Improvements on BLM land will be paid for by this agency and from Sikes Act funds. The goal is to have range improvements installed during the summer of 2001, although BLM funding may not be available until 2002. The total cost of all range improvements is approximately \$100,000.

COWELL CONSERVATION EASEMENT



COWELL GRAZING PLAN

- Proposed Cowell Conservation Easement
- Pastures

Land Ownership

- Private
- US - BLM
- US - Wilderness Study Area
- US Fish & Wildlife Service
- State of Montana (DNRC)

Map produced by
 Martie Crone
 Land Section, Montana Fish, Wildlife & Parks
 Helena, Montana
 cowell apr 10/12/00

Proposed boundaries screen-digitized and boundaries are approximate. Hydrography, roads, county lines, public land survey system and public land ownership from the Natural Resource Information System, Montana State Library, Helena, MT, digitized at 1:100,000 State Plane 1983 Projection



**Montana Fish,
 Wildlife & Parks**

SOCIO-ECONOMIC ANALYSIS

COWELL PROPERTY
CONSERVATION EASEMENT
SOCIO-ECONOMIC ASSESSMENT

MONTANA FISH, WILDLIFE AND PARKS

Prepared by:
Rob Brooks
October, 2000

I. INTRODUCTION

House Bill 526, passed by the 1987 Legislature (MCA 87-1-241 and MCA 87-1-242), authorizes Montana Fish, Wildlife and Parks (MFWP) to acquire an interest in land for the purpose of protecting and improving wildlife habitat. These acquisitions can be through fee title, conservation easements, or leasing. In 1989, the Montana legislature passed House Bill 720 requiring that a socioeconomic assessment be completed when wildlife habitat is acquired using Habitat Montana monies. These assessments evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

This socioeconomic evaluation addresses the purchase of a conservation easement on property presently owned by the John Cowell. The report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed conservation easement.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

The Cowell property is located about 50 miles south of Malta Mt. in Phillips County. The property encompasses 4489 acres of sagebrush grassland and riparian habitat. A detailed description of this property is included in the environmental assessment (EA).

B. Habitat and Wildlife Populations

The land is important habitat for a large number of wildlife species since it lies in the transition area between the Missouri River Breaks and the prairie. Elk, sage grouse, antelope and a host of other wildlife use this piece of land extensively.

C. Current Use

Cowell property is a working cattle ranch.

D. Management Alternatives

- 1) Purchase a conservation easement on the property by MFWP
- 2) No purchase

Alternative 1, the purchase of a conservation easement will provide long-term protection for the agricultural activities this land supports as well as allow for the protection and enhancement of the native habitats and wildlife this land sustains.

The second alternative, the no purchase option, does not guarantee the protection of this parcel from future development or provide for public access to the ranch lands or the public lands which are adjacent to this property.

MFWP Purchase of Conservation Easement

The intent of the Cowell property conservation easement is to protect and enhance the wildlife habitat currently found on the property while maintaining the agricultural character of the property. The Deed of Conservation Easement specifies the terms of the agreement. The major points presented here may affect the socioeconomic environment. They are:

- 1) Restrict residential subdivision or commercial development.
- 2) No commercial use of land and resources except those allowed by the Easement.
- 3) No new buildings or construction except that allowed by the Easement.
- 4) Mineral exploration/extraction are prohibited except for gravel to be used on the property.
- 5) No cultivation or farming.
- 6) No renting or leasing access to the land for recreational purposes except that allowed by the Easement.
- 7) No game farms
- 8) No grazing, pasturing, or raising of any species of domestic sheep or sheep not native to Montana.

A complete list of the restrictions this easement has on the landowners and MFWP is provided in the Deed of Conservation Easement for the Cowell property.

No Purchase Alternative

This alternative requires some assumptions since use and management of the property will vary depending on what the current owners decide to do with the property if MFWP does not purchase a conservation easement.

Subdivision or development of the land for other than agricultural purposes is a real possibility. The economic impacts associated with this alternative have not been calculated.

III. SOCIAL AND ECONOMIC IMPACTS

Section II identified the management alternatives this report addresses. The purchase of a

conservation easement will provide long term protection of important wildlife habitat, keep the land in private ownership and provide for public access for hunting. Section III quantifies the social and economic consequences of the two management alternatives following two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the conservation easement to MFWP and discuss the impacts on tax revenues to local government agencies including school districts.

Expenditure data associated with the use of the property provides information for analyzing the impacts these expenditures may have on local businesses (i.e. income and employment).

A. Financial Impacts

The financial impacts on MFWP are related to the purchase price of the conservation easement and maintenance/management costs. The Cowell property conservation easement will cost MFWP \$360,000. Maintenance/management costs related to the easement are associated with monitoring the property to insure the easement terms are being followed and the development of a rest rotation grazing system. The grazing system is expected to cost about \$100,000 to implement.

The financial impacts to local governments are the potential changes in tax revenues resulting from the purchase of the conservation easement. The Cowell property easement will leave the land in private ownership and will not change the type or level of use on the property. The addition of this parcel to the existing easement will have no impact on the current level of taxes paid to Phillips County.

B. Economic Impacts

The purchase of a conservation easement will not affect the agricultural activities on the Cowell property. Consequently there will not be any significant financial impacts to local businesses associated with the ranching activities in the long term.

Expenditures associated with hunting and other recreational activities are expected to remain similar to current levels with no significant financial impact to local businesses.

FINDINGS AND CONCLUSIONS

As noted at the beginning of this document, the Cowell property is located in Phillips County approximately 50 miles southeast of Malta, MT.

The conservation easement will provide long term protection of the sagebrush grassland habitat, maintain the agricultural integrity of the land, ensure public hunting opportunities and keep the property in private ownership.

The purchase of a conservation easement by MFWP will not cause a reduction in tax revenues on this property from their current levels to Phillips County.

The agricultural/ranching operations as well as the recreation activities will continue at their current levels. The financial impacts of the easement on local businesses will be neutral to positive in both the short and long run.



